



Bruce C. Embrey
Prosecuting Attorney for Miami County
Miami County Courthouse, Room 112
25 North Broadway, Peru, Indiana 46970
Office Phone: (765) 472-2403
Office Fax: (765) 472-0864

Chief Deputy - Jeffrey K. Sinkovics
Deputy - Peter Diedrichs
Deputy - Courtney Alwine
Investigator - Gary Nichols

Deferral Program Information and Application Instructions

The Miami County Prosecutor's Office offers a program called a pretrial deferral to individuals with a good driving history who have been ticketed for an infraction. If you receive no other violations while participating in the program, this ticket will be **DISMISSED** at the end of the program. The fee for the program is **\$192.50**. You would be paying this fee to be on the program rather than paying your ticket.

To determine if you qualify for the deferral program, you must first complete the following application. **You cannot qualify for the deferral if any of the following apply: (1) you were less than 18 years of age at the time of the offense; (2) you do not possess a valid driver's license; (3) you have a CDL; (4) you have a conviction for Operating While Intoxicated; (5) you have a judgment for a moving violation within the last year; (6) you have entered into a deferral contract within the last year; (7) your speeding ticket indicates that you were exceeding the speed limit by more than 25 miles per hour; (8) your ticket is for the offense of passing a school bus; (9) your ticket is for the offense of failing to yield to an emergency vehicle; (10) the ticket is for an offense involving an accident.**

To apply for the deferral program, print the application and fill it out by hand **OR** download the application to your computer and fill in the blanks. Then FAX or email the application to the Prosecutor's Office. **If the Prosecutor's Office has not received the application for the deferral program by noon (12:00 Eastern Standard Time) the working day prior to your Court date listed on your ticket, you will no longer be eligible for the program.** You will find information regarding your Court date located under Court Appearance at the bottom of your ticket.

Persons with an out of State Driver's License will need to obtain a Certified Copy of your driving record through their home State BMV. If you have an OUT OF STATE DRIVER'S LICENSE, must send a certified copy of your driving record from your State's Department of Motor Vehicles to the Miami County Prosecutor's Office with your deferral application. In order to process out of state driver's record, it must be received on same day the deferral application is submitted.

If the **Miami County** Prosecutor's Office determines that you are eligible for the deferral program, we will mail you the agreement that must be read and signed. You must then return the completed agreement to the court along with your fee in a **money order only (no personal checks)** by the date listed on bottom of contract. Failure to do so may cause your license to be suspended.

Name: _____

Address: _____

Phone number: _____ Date of Birth: _____

Email Address: _____



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Driver's license number: _____

If you have a NON-Indiana Driver's License, which State: _____

Ticket or UTT number: _____

Court Date listed on your Ticket: _____

Do you have any other charges pending in any other court? ☐ Yes ☐ No

If you do have other charges pending, what charges and in what court/county?

By submitting this document to the Miami County Prosecutor's Office, I hereby request permission to enter into the traffic deferral program and voluntarily furnish the following information for Prosecutor's Office to use in determining my eligibility. I understand that it is my responsibility to verify this application is received by the Prosecutor's Office.

By Signing the Deferral Agreement, I agree that I will not receive any more charges or traffic offenses while I am in the Deferral Program. This Deferral Program agreement will last for six (6) months. I understand that if I do NOT receive any more charges or traffic offenses, the ticket will be dismissed at the end of the six (6) month time period. I understand that it is my responsibility to notify the Prosecutor's office if I receive any more charges or traffic offenses while I am in the Deferral Program. I understand that if I receive any more charges or traffic offenses while I am in the Deferral Program my Ticket will be re-activated and I could face possible fines, Court costs, and points on my license, if I were to be convicted of the Traffic Offense.

By signing and submitting this document, I (insert name) / s /: _____, affirm under the penalties for perjury that the foregoing representations stated herein are true. I understand that if I complete and submit this document electronically, that typing my name above after the notation "/ s /" constitutes a legally binding digital signature.

SEND THIS COMPLETED APPLICATION TO THE PROSECUTOR'S OFFICE

SEND BY FAX TO: 765-472-0864

SEND BY EMAIL TO: KKILCRECE@MIAMICOUNTYIN.GOV